

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSE RIVERA MARTINEZ, *individually and
on behalf of all others similarly situated*,

Plaintiff,
-against-

ROBERT FRANCIS PAINTING, INC. and
ROBERT KANE, *an individual*,

Defendants.
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ORDER
16-CV-3845 (SIL)

LOCKE, Magistrate Judge:

On March 16, 2017, in this wage and hour action brought pursuant to the Fair Labor Standards Act of 1938 (“FLSA”), 29 U.S.C. § 201 *et seq.*, and the New York Labor Law (“NYLL”), N.Y. Lab. Law § 190 *et seq.*, Plaintiff Jose Rivera Martinez and Defendants Robert Francis Painting, Inc. and Robert Kane jointly submitted a motion seeking approval of a Settlement and Release Agreement (the “Settlement Agreement”).¹ See Docket Entry (“DE”) [16]. Having reviewed the parties’ joint submission in support thereof, as well as the Settlement Agreement itself, the Court finds that the Settlement Agreement’s terms are fair and reasonable. See *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015); *Wolinsky v. Scholastic Inc.*, 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012) (requiring that a district court scrutinize an FLSA settlement agreement to determine that it is fair and reasonable). Accordingly, the Settlement Agreement is approved and this case is hereby closed.

¹ This action has been assigned to this Court for all purposes pursuant to 28 U.S.C. § 636(c). See DE [15].

Dated: Central Islip, New York
March 28, 2017

SO ORDERED.

s/ Steven I. Locke

STEVEN I. LOCKE

United States Magistrate Judge